



P/73-2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Nowak et al.

Serial No.: 09/178,329

Examiner: M. Jackson

Filed: October 23, 1998

Art Unit: 1773

For: COMPOSITE WRAP MATERIAL Dated: January 29, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

**RESPONSE TO ADVISORY ACTION**

Sir:

This is in response to the Advisory Action dated October 9, 2003 in connection with the above-identified matter.

The following is noted:

1. Applicant filed a response to the Final Rejection on September 11, 2003, no request for continued examination was filed at that time. As Applicant did not hear anything further, it was assumed our arguments had been accepted.

2. It was realized through a telephone call from Examiner Jackson that an Advisory Action had been mailed on October 9, 2003, however, Applicant never received said copy.

3. Enclosed herewith for proof of same are copies of our docketing pages from dates prior and up to December 16, 2003, the final date for responding, showing that we never had any due date listed for a Response in

connection with the above application, Attorney Docket, P/73-2. As we regularly check and docket our mail and review our files for upcoming due dates, the only conclusion is that the Advisory Action was never received by applicant.

4. It is respectfully requested that applicant has proven the delay was unintentional and the application should be reinstated.

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Date of Deposit: February 2, 2004

I hereby certify that this paper (and any document(s) attached herewith) is being deposited with the United States Postal Service "Express Mail" Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on

Signature: Debbie Broderick  
Name: Debbie Broderick

Respectfully submitted,



Philip M. Weiss

Reg. No. 34,751

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FEB 06 2004

OFFICE OF PETITIONS

**RESPONSE TO OFFICE ACTION**

SIR:

The following is in response to the Office Action mailed June 16, 2003.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.